

Remarks

Reconsideration of the subject application is respectfully requested.

Claims 11-12 are rejected under 35 U.S.C. §112 second paragraph as being indefinite. More particularly, the Examiner indicates that claim 11 recites the limitation of the opening, which lacks sufficient antecedent basis. Applicants have amended the claims to address this informality. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-2, 4-9, 11-12, 14-15 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by Spoonster. Claims 14-16 and 18-19 are rejected under 35 U.S.C. §102(b) as being anticipated by Stafford. Claims 14, 16 and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by Tosti. Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Spoonster in view of Bamber. Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Spoonster in view of Cummings. Claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Spoonster in view of Robinson. Applicants respectfully traverse these rejections.

Applicants note that each of Spoonster, Stafford and Tosti are directed to a complete golf grip. Moreover, the apparatus disclosed in these references are devices extending over the entire traditional gripping surface of a golf club. As set forth in Applicant's amended claims, the present invention is directed to a grip alignment apparatus which is placed over a traditional golf grip. Moreover, claim 1 states that the apparatus is applied over an existing elastomeric grip member. Claim 14 requires that the device contact substantially only the thumb and index finger of the golfer. Claim 21 states that the device consists of the thumb accommodating protuberance, the index finger receiving portion and the interlocking body. In view of the above, Applicant submits that the asserted references no longer anticipate the claimed invention, nor render it obvious. Accordingly, withdrawal of the rejections is respectfully requested.

If any fee is due in conjunction with the filing of this response, Applicant authorizes deduction of that fee from Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

Date: April 19, 2005



Scott A. McCollister
Reg. No. 33,961
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2518
(216) 861-5582